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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

Hiroki SUZUKAWA

Application No.: 09/668,064

Filed: September 25, 2000

For: EXPOSURE METHOD AND  
EXPOSURE APPARATUS

)  
: Examiner: Christopher G. Young

)  
: Group Art Unit: 1756

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)

) February 13, 2002

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Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicant respectfully traverses the restriction requirement set forth in the Office

Action dated January 14, 2002.

In the Office Action, the Examiner sets forth a restriction requirement between two groups of claims. Group I, claims 1-20, is drawn to exposure methods and device manufacturing methods, classified in class 430, subclass 30. Group II, claims 21-30, is drawn to exposure apparatus, classified in class 355, subclass 18.

The Examiner contends that the inventions of Groups I and II are related as process and apparatus for its practice, and have acquired a separate status in the art due to their

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different classification such that the searches are not coextensive, requiring separate examination. These contentions are respectfully traversed.

Applicant notes that the inventions of Groups I and II are so closely related in the field of exposure including determination of processing order in a sample shot process and in an exposure process that a proper search of any of the claims would, of necessity, require a search of the others. Thus, it is submitted that all of the claims can be searched simultaneously, and that a duplicative search, with possibly inconsistent results, may occur if the restriction requirement is maintained.

Applicant further submits that any nominal burden placed upon the Examiner to search an additional subclass or two, necessary to determine the art relevant to Applicant's overall invention, is significantly outweighed by the public interest in not having to obtain and study several separate patents in order to have available all of the issued patent claims covering Applicant's invention. The alternative is to proceed with the filing of multiple applications, each consisting of generally the same disclosure, and each being subjected to essentially the same search, perhaps by different Examiners on different occasions. This places an unnecessary burden on both the Patent and Trademark Office and on Applicant.

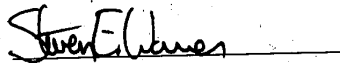
In the interest of economy, for the Office, for the public-at-large and for Applicant, reconsideration and withdrawal of the restriction requirement are requested.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicant provisionally elects, with traverse, to prosecute the invention of Group II, namely claims 21-30.

Favorable consideration and an early passage to issue are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,



Attorney for Applicant  
Steven E. Warner  
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Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

☒ No additional fee is required.

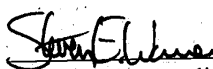
The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	30	MINUS	30	= 0	x \$9 \$18	\$ 0.00
INDEP. CLAIMS	24	MINUS	24	= 0	x \$42 \$84	\$ 0.00
Fee for Multiple Dependent claims \$140/\$280						—
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0.00

☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.

- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed including the additional claims fees.
- ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 06-1205. A duplicate of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 CFR 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the fee for a two month extension is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the Information Disclosure Statement fee is enclosed.
- ☒ Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,

  
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